

REMARKS

In the Office Action¹, the Examiner rejected claims 1, 4, and 5 under 35 U.S.C. §102(b) as anticipated by U.S. Patent Application Publication No. 2002/0007311 to Iseki et al. ("*Iseki*"); and rejected claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over *Iseki* further in view of U.S. Patent No. 5,655,053 to Renie ("*Renie*").

As a preliminary matter, Applicant thanks the Examiner for the courtesy extended to Applicant's representative during a telephone interview held on November 24, 2009. During the interview, the issues raised in the Office Action mailed October 2, 2009, were discussed. An agreement with respect to the claims was not reached. The substance of the interview is included in the remarks below.

By this Amendment, Applicant amends claims 1- 5. Claims 1-5 remain pending and under currently examination.

Applicant respectfully traverses the rejection of claims 1, 4, and 5 under 35 U.S.C. §102(b) as anticipated by *Iseki*.

Amended independent claim 1 recites, in part, a mobile recording medium "manufactured specifically for a place by a company for creating an original electronic album of the place," the mobile recording medium comprising "material information provided by the company that is pre-recorded on the mobile recording medium, the material information including at least one of text, an image, audio, and a map relating to the place."

¹ The Office Action may contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Iseki does not teach or suggest at least the above-cited elements of claim 1.

Iseki teaches an electronic service site which runs a system for registering and opening digital albums. (See Abstract.) Although *Iseki* teaches that various terminals may provide image data to a digital album provider terminal operated by a digital album service company (*Iseki* at paras. [0035]–[0036]), the same company does not manufacture a mobile recording medium “specifically for a place.” Moreover, the company does not pre-record “material information” that relates to the place “on the recording medium.”

Claim 1 is therefore allowable. Claim 4 is allowable at least by virtue of its dependence from independent claim 1. Claim 5, while different in scope than claim 1, distinguishes over *Iseki* for at least similar reasons as claim 1. Accordingly, Applicant respectfully requests the withdrawal of the rejection of 1, 4, and 5 under 35 U.S.C. §102(b).

Applicant respectfully traverses the rejections under 35 U.S.C. §103(a) of claims 2 and 3 as being unpatentable over *Iseki* further in view *Renie*. A *prima facie* case of obviousness has not been established at least because the differences between the prior art and Applicant’s claims are such that it would not have been obvious for one of ordinary skill in the art at the time of the invention to modify the prior art to arrive at Applicant’s claimed invention.

Claims 2 and 3 depend from independent claim 1, and thus, incorporate each and every element of claim 1. As discussed above, *Iseki* fails to teach or suggest at least a mobile recording medium “manufactured specifically for a place by a company for creating an original electronic album of the place,” the mobile recording medium

comprising “material information provided by the company that is pre-recorded on the mobile recording medium, the material information including at least one of text, an image, audio, and a map relating to the place.”

Renie fails to cure the deficiencies of *Iseki*. *Renie* discloses a personalized video system for “acquiring video of an individual consumer as shot at an amusement park or the like and combining those images with standard, preshot video of rides or attractions” (Abstract). However, the standard preshot video of rides or attractions of *Renie* do not constitute material information that is pre-recorded on a “mobile recording medium” that is “manufactured specifically for a place by a company,” where the same company also provides “material information” that is “pre-recorded on the mobile recording medium,” as required by claim 1.

Claims 2 and 3 are therefore allowable over *Iseki* and *Renie*. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 2 and 3 under 35 U.S.C. § 103(a).


In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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